

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

03-08-2004

Applicant's or agent's file reference

51196 WO

REPLY DUE

within 60 days from
the above date of mailing

International application No.

PCT/IB2002/003890

International filing date (day/month/year)

20/09/2002

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC

H04H 1/00, H04Q 7/32, H04M 11/08, H04H 9/00

Applicant

Nokia Corporation et al

BECKER KURIG STRAUS
BAVARIASTRASSE 7 · 80336 MÜNCHEN

05 Aug. 2004

WV: / LF:
TWO: 011004

1. ☐ The written opinion established by the International Searching Authority:
☐ is ☐ is not
considered to be a written opinion of the International Preliminary Examining Authority.

2. This first (first, etc.) opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
☐ Box No. II Priority
☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐ Box No. IV Lack of unity of invention
☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐ Box No. VI Certain documents cited
☐ Box No. VII Certain defects in the international application
☐ Box No. VIII Certain observations on the international application

PC: 011004
150904
230804 -> (BW)

3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

20-01-2005

Name and mailing address of the IPEA/SE
Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM

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Form PCT/IPEA/408 (cover sheet) (January 2004)

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WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.
PCT/IB2002/003890

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed.")*:

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☐ the claims:
- pages _____ as originally filed/furnished
- pages _____ as amended (together with any statement) under Article 19
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☐ the drawings:
- pages _____ as originally filed/furnished
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.
PCT/IB2002/003890

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1, 8, 14-19, 24-25</u>
	Claims	
Inventive step (IS)	Claims	<u>2-7, 9-13, 20-23</u>
	Claims	
Industrial applicability (IA)	Claims	<u>1-25</u>
	Claims	

2. Citations and explanations:

Reference is made to the following documents:

D1: EP 1113605 A2
D2: WO 02052815 A2
D3: DE 10053739 A1
D4: EP 0725489 A1

The claimed invention relates to a method, device and system for providing additional information related to the contents of a radio broadcast to mobile terminal devices.

The problem to be solved by the present invention concerns the waste of network resources as additional information concerning the radio broadcast is to be delivered to a mobile station. An additional problem to be solved by the claimed invention relates to difficulties in delivering selectively additional information concerning a broadcast to certain users.

Document D1 regarded as being the closest prior art to the subject-matter of independent claims 1, 8, 14-19 and 24-25 discloses a method, system and device for providing additional information related to the contents of a radio broadcast to mobile stations (see [0001]). According to D1, identification information is extracted from a current broadcast of a piece of music or other type of information of interest to a mobile user and stored in a memory or other storage device, e.g. a database, in response to a user commands (see [0009]). The identification information corresponds to additional information concerning the broadcast such as the name of the artist; the title; the album name; the label; the source; the date and time associated with the current broadcast of the

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

piece of music, etc ... In D1 it is also stated that a server is used to receive the additional information data which is associated with the current broadcast (see [0010] and [0021]).

Thus, since the additional information is associated with the current broadcast, the information is automatically updated if the information delivered to the user via a server is changed. The mobile devices are also selectively determined since the information is delivered to a user in response to received user commands.

In addition, The system described in D1 is also comprised of a network server, a database, a mobile terminal device, a wireless network, and a broadcast station. Software tools and computer programs are also indirectly included in the system and method described in D1.

Accordingly, the claimed invention according to claims 1, 8, 14-19 and 24-25 is considered to lack novelty.

Document D2 also describes and illustrates a mobile telephone device capable of receiving updated information related to a broadcast such as music, traffic information etc ... A software program is also claimed in D2 (see page 17, lines 3-6; abstract; page 5, lines 25-30; and claims 1, 7, 10, 11, and 14).

Thus, In view of what is already known from D2, the claimed invention according to claims 1, 8, 14-19 and 24-25 is considered to lack novelty.

Document D3 is also considered relevant to the claimed invention according to claims 1, 8, 14-19 and 24-25, based on the same arguments given above about D1 (see abstract, and paragraphs [0001]-[0018] in D3).

Document D4 describes a broadcasting station for mobile devices and corresponding system.

The claimed invention according to claims 2-7, 9-13, 20-23 comprises only steps, details and slight constructional variations that are considered obvious to a person skilled in the art, and therefore not considered to involve an inventive step, with reference to D1-D4.